***HON'BLE SRI JUSTICE P.S. NARAYANA***

***WRIT PETITION NO. 335 OF 2007***

DATE: 29.10.2007

Between:

Dr. Kanduri Simhachalam.

...Petitioner

AND

1. The Union of India represented by its Secretary, Ministry of Home Affairs, Loknayak Bhavan, New Delhi and two others

.....Respondents

***HON'BLE SRI JUSTICE P.S. NARAYANA***

***WRIT PETITION NO. 335 OF 2007***

***ORAL ORDER:***

Heard the learned counsel appearing for both sides.

The Writ petition is filed for a Writ of Mandamus declaring the action of the first respondent herein with regard to non-finalization of pension in pursuant to letter No. 22962/FF.II.I/2005 dated 4.4.2006 issued by the 2nd respondent herein by declaring the same as illegal, arbitrary and violative of rights guaranteed under Articles 14, 21 of the Constitution of India, 1950 and pass such other orders.

It is stated that the second respondent issued letter dated 4.4.2006. The order dated 2.2.2006 made by this court in W.P.No. 567 of 2005 has already been referred to.

In the counter affidavit filed it is stated that the application of the petitioner for sanction of FF Pension on the basis of recommendation of the Collector, Hyderabad vide their letter dated 22.1.2005 and 6.3.2006 along with the documents/certificates produced by the Writ petitioner in support of his claim, whose case has already been recommended by the erstwhile H.S.S.C vide No. 112/5469/97, FF(HC), for grant of Central FF Pension under SSSPS 1980 was forwarded to the Joint Secretary to Government of India, Ministry of Home Affairs (FF Division) Lok Nayak Bhavan, New Delhi, vide Government Revenue (FF.III) Department letter No. 2962/FF.III/A1/2005 dated 4.4.2006.

It is also stated that as per the Rules in force of the Scheme, the Government of India alone is the competent authority either to sanction or to

reject the FF pension under SSSPS, 1980 scheme.

In the light of the respective stands taken by the parties, this court is of the considered opinion that the Writ Petition be disposed of directing the first respondent to consider and finalize the pension in pursuant to the letter No. 22962/FF.II.I/2005 dated 4.4.2006 issued by the second respondent in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of. No order as to costs.

P.S. NARAYANA, J

Date: 29.10.2007
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